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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 30th May, 1988/Jyaistha 9, 1910 (Saka)

The following Act of Parliament received the assent of the President on the 25th May, 1988, and is hereby published for general information:—

### THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) ACT, 1988

No. 32 or 1988

[25th May, 1988.]

An Act further to amend the Code of Criminal Procedure, 1973.

Be it enacted by Parliament in the Thirty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Code of Criminal Procedure (Amendment) Act, 1988.

Short title.

2 of 1974.

2. In section 105 of the Code of Criminal Procedure, 1973,—

(a) in sub-section (1), for the portion beginning with the words “issued by it” and ending with the words “in the said territories”, the following shall be substituted, namely:—

Amendment of section 105.

“issued by it shall be served or executed at any place,—

(i) within the local jurisdiction of a Court in any State or area in India outside the said territories, it may send such summons or warrant in duplicate by post or otherwise, to the presiding officer of that Court to be served or executed; and where any summons referred to in clause (a) or clause (c) has been

so served, the provisions of section 68 shall apply in relation to such summons as if the presiding officer of the Court to whom it is sent were a Magistrate in the said territories;

(ii) in any country or place outside India in respect of which arrangements have been made by the Central Government with the Government of such country or place for service or execution of summons or warrant in relation to criminal matters (hereafter in this section referred to as the contracting State), it may send such summons or warrant in duplicate in such form, directed to such Court, Judge or Magistrate, and sent to such authority for transmission, as the Central Government may, by notification, specify in this behalf”;

(b) in sub-section (2),—

(i) for the words “issued by a Court in any State or area in India outside the said territories, it shall cause the same to be served or executed”, the following shall be substituted, namely:—

“issued by—

(I) a Court in any State or area in India outside the said territories;

(II) a Court, Judge or Magistrate in a contracting State,

it shall cause the same to be served or executed”;

(ii) the following proviso shall be inserted at the end, namely:—

“Provided that in a case where a summons or search warrant received from a contracting State has been executed, the documents or things produced or things found in the search shall be forwarded to the Court issuing the summons or search warrant through such authority as the Central Government may, by notification, specify in this behalf.”.

S. RAMAIAH,

*Secy. to the Govt. of India.*

#### CORRIGENDA

In the National Housing Bank Act, 1987 as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 28th December, 1987 (Issue No. 76):—

(a) At page 4, in the marginal heading to section 7, for “Terms”, read “Term”;

(b) At page 7, in line 29, for “bedentures”, read “debentures”;

(c) At page 14, in section 40(4), line 3, for “opinion”, read “opinion”;

(d) At page 16, in section 47(2), line 7, for “or”, read “or of”;

(e) At page 19, in the last line, for “date or”, read “date of”.